

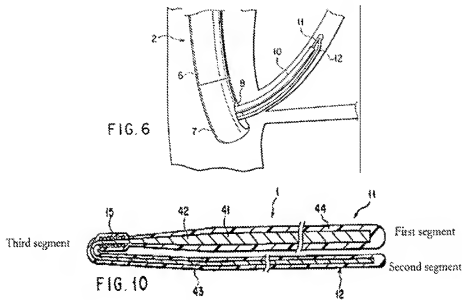
REMARKS

The claims have been amended as indicated above. The amendments are being made to clarify the invention. The amendments are fully supported by the specification, claims, and figures as originally filed. No new matter is believed or intended to be involved.

The undersigned appreciates the courtesies extended by the Examiner during the telephone interview on 10/02/07. While no agreement was reached during the interview, the claims were amended to focus the claims on structural and functional aspects of the third segment that distinguish plainly distinguish over the prior art of record. As discussed in the interview, new claims 25-27 have been added directed to a method for using a guide wire in a flexible endoscope.

103 over Onuki in view of Imran

The Office Action rejected claims 1-19, 20 and 24 under 35 U.S.C. § 103(a) as being obvious over Onuki (2002/0087100) in view of Imran (5,389,073). The Office Action cites to Figs. 6 and 10 and made the following comparison with the first, second, and third segments:

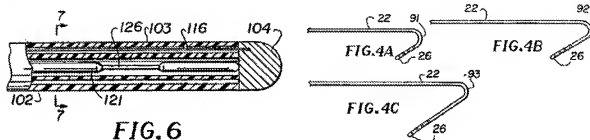


The Office Action further premises the rejection on the following conclusions:

The first, second and third segments define a loop distally beyond the distal end of the endoscope (Figure 6). The first and second segments are independently slideable relative the endoscope which would allow varying of the loop geometry. In use the third segment is bent and provides an elastic hinge and is positioned distally relative the first and second segments.

Applicants disagree. Onuki cannot be fairly read as teaching or suggesting the foregoing conclusions. Instead, Onuki actually teaches away the conclusions drawn in the Office Action. The description in paragraphs [0115-0117] describing how Onuki is used suggests that either the retaining wire (12) or wire body (11) are held in place to prevent the other wire from moving. Thus, it appears the two wires (11, 12) are intended not slide independently, but rather to remain substantially in axial alignment. Moreover, there simply no teaching or suggestion that the Onuki tip would bend and provide an elastic hinge as recited in the claims.

The Office Action also cites to Fig. 6 of Imran that discloses an embodiment of a steerable catheter. Fig. 6 is reproduced below for convenience.



This embodiment includes a flexible elongate member (102) with at least three pull wires (116). An elongate stiffening element (121) is slideably mounted in the central lumen (112). Bending of the distal extremity (103) occurs at the weakened longitudinal portion. Figs. 4A-4C plainly show that the flexible elongate member is never intended to be positioned in an endoscope as claimed nor to form a loop as claimed.

Conclusion

Based on the foregoing, all of the pending claims are in a condition for allowance. Applicants traverse all rejections and request reconsideration, and Applicants request an early notice of allowability.

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Respectfully submitted,

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